

## Newstead Town Board Meeting- March 22, 2004

A Regular Meeting was called to order by the Newstead Town Board on Monday, March 22, 2004 at the Newstead Town Hall at 8:00 PM.

Present: Gerald F. Summe, Supervisor  
Joan M. Glor- Councilwoman  
Tom George- Councilman  
Harold L. Finger- Councilman  
Scott Chaffee- Councilman  
Jim Ebersole- Highway Superintendent  
Fred Pask- Assessor  
Andrew Casolini- Town Engineer  
Dawn Izydorczak- Town Clerk  
Kathleen Lang- Deputy Clerk

Roll Call was taken with all board members present.

Andrew Casolini led the pledge to the flag.

Minutes from the previous regular board meeting held on March 8, 2004 were presented for approval. A motion was made by Councilwoman Glor, seconded by Councilman Finger to approve as presented. Carried Unanimously

**Communications** – The Town Clerk presented the following:

A Resolution passed by Erie County Legislature allowing deployed military personnel an extension of time to pay property taxes without penalties and interest and asking local municipalities for support.

The Water Sampling Report was received from the Village of Akron for March 2 – 3, 2004 with all levels being within acceptable ranges.

A copy of a letter from Senator Mary Lou Rath to the NYS Thruway Authority requesting updates on the Draft Design Report and Environmental Impact Statements for the Williamsville Toll Barrier project.

A motion was made by Councilman George, seconded by Councilman Chaffee to receive and file correspondence as presented. Carried Unanimously

**Work Session:** Supervisor Summe reported that a work session was held on March 15, 2004 and the following issues were discussed: a meeting with Akron Little League Football representatives, the Senior Center, the new Town Hall, the connector trail project, the Pest Grant update, update on labor negotiations, waste water meeting with village, WNY Stormwater Coalition, lateral restriction application for 13424 Stage Rd and the airport re-zoning, as well as other issues.

**Privilege of the Floor** – Sheriff Pat Flynn informed us that the citizen's survey is still on going and several town informational meetings are scheduled. The next one is March 31 at ECC North, which will be the closest meeting for the Akron-Newstead area.

**Approval of Bills** -Councilwoman Glor reported that the Abstract from Batch #248 & 249 from the 3/8/04 meeting has been reviewed with the previously UN-audited vouchers and everything was found in order. She presented Abstract Batch #254 & 255. Vouchers on these abstracts numbered 183-185,186-259 totaling \$179,631.33 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Finger to approve payment.

Abstract Batch 254 & 255:

General Fund (A) -\$101,680.18, Fund (B) \$10.89, Highway (DA) -\$0, Highway: Outside Village (DB) \$7,529.15, Capital Projects- WD#5-Phase II (HC) \$0, CAP-Senior Center (HF)- \$35,000.95, Sewer Dist. #2 (HJ)- \$0, CAP- Library Fund (HE)-\$0, CAP-WD#10 (HI)- \$0, Fire Protection (SF)

\$0, Refuse (SR) \$18,381.48, Sewer Fund (SS) \$2,539.22, Sewer District #2 (SS02)- \$0, and Water Districts (SW1) \$2,956.25, (SW2) \$0, (SW3) \$2,013.37, (SW4) \$0, (SW5) \$0, (SW6) \$0, (SW7) \$0, (SW7A) \$2,902.61, (SW8) \$0, (SW9) \$6,617.23, Trust & Agency (TA) \$0, Totaling \$179,631.33  
Carried Unanimously

### **COMMITTEE AND DEPARTMENT HEAD REPORTS**

**Highway** – 216 tons of salt was sold to the Town of Alden and payment was received today. The trucks and equipment are still in good shape. They will be installing driveway pipes and cutting a few tree's this week. David Brucker returned to work today.

**Assessor** –Updates and informal assessment meetings are progressing. Books have been disappearing from courtroom and the Assessor asked that people please not take them out of the building. Photo projects coming along good and almost complete. Complete list of sales of property in Newstead are on the web site for viewing.

**Building Office** –the following building report was presented by the Building Administrator Christine Falkowski:

Charles Mullins	12381 Main	Remodel & Repair
Patricia Pasinski	11986 Main	Sign Permit
John Wargo	11950 Stage Rd	Pipe Permit
John Wargo	11950 Stage Rd	Foundation

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee to accept and approve the Building Report and Zoning Report as presented.

Carried Unanimously

**Town Clerk**- Met with Town Attorney & Justices last week to work on dog ordinance changes. Will have a proposal for Board within two weeks. New web page is live now. Encourages everyone to check it out. The Web Page received the following "hits" from 3/7 – 3/13/04: Home Page- 156, Assessor page- 49, Building page- 43, Town Attorney page- 28, Supervisor page- 32, Clerk's page- 31, Links page- 31, History page- 31.  
Supervisor Summe wants to thank Dawn for all her hard work on the web site.

**Attorney for the Town**- Nothing at this time

### **COUNCILPERSONS**

**Chaffee** – Nothing at this time

**George** –Nothing at this time

**Glor** –Nothing at this time

**Finger**-He attended the Rotary planning meeting on the public restrooms project in the village, which is progressing.

**SUPERVISOR** – He is proud to announce that the light at Route 93 and Route 5 will be changed to a 3-way light. The Supervisor would like to express gratitude to Richard Forrestel for his help and persistence on this issue along with the school administrators and business owners.

### **UNFINISHED BUSINESS**

**Water District #10**-The letters are out and reviewing environmental issues of water tank. A meeting will be in the next 2-3 weeks.

**Town Wide Drainage-**A meeting is scheduled for Tuesday, March 30, 2004 with the Drainage Committee.

**Christian Airmen Re-Zoning-** In the process of setting up a meeting with Christian Airmen and then a meeting with Citizens group.

**Senior Center-** Councilman Finger states that they are finishing the final contract. He will be meeting with Joan and JoAnn tomorrow on some procedural issues.

**Town Hall Project-**Draft contract for General Contractor is being finalized. RFP tour needs to be scheduled.

**Route 5 Zoning-** Update for planning board on overlay zone is being done and meeting will be scheduled.

Other- nothing

### **NEW BUSINESS**

**Lateral Restriction Exception-** A motion was made by Councilman Chaffee, seconded by Councilman George approving the granting of a hardship exception for the property located at 13424 Stage Rd regarding access to public water. Carried unanimously

**Approval of New Positions-** A motion was made by Councilman George, seconded by Councilman Finger approving the addition of 8 new Recreation Attendant positions for County Certification. Carried unanimously

### **Local Law No. 1 of 2004:**

A motion was made by Councilwoman Glor, seconded by Councilman Chaffee declaring that the proposed Local Law No. 1 of 2004 will have no significant effect on the environment and therefore adopts a determination of non-significance under SEQRA.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

A motion was made by Councilwoman Glor, seconded by Councilman Finger adopting Local Law No. 1 of 2004 titled "Amendment to the Code of the Town of Newstead Placing a Nine Month Moratorium on the Approval of Site Plans for New Commercial Development on Route 5 within the Town".

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

### **Hearing on Unsafe Building Violation:**

A motion was made by Councilman Finger, seconded by Councilwoman Glor approving the scheduling of a hearing on the unsafe building located at 13800 Main Rd for April 26, 2004 at 7:15pm at the Newstead Town Hall where the current owners may be heard.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

### **Hartgen Contract Approval- WD#10:**

A motion was made by Councilman Chaffee, seconded by Councilwoman Glor approving the hiring of Hartgen Archeological Associates, Inc. to conduct a Phase 1A archeological survey and Phase 1B investigations as needed and authorizing the Supervisor to sign all necessary contracts.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

### **Hearing on Site Plan for 11478 Main Rd:**

A motion was made by Councilman George, seconded by Councilwoman Glor approving the scheduling of a public hearing on the site plan for the property located at 11478 Main Rd for April 12, 2004 at 7:55pm at the Newstead Town Hall.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

**B.A.R. Appointment-** A motion was made by Councilwoman Glor, seconded by Councilman George to appoint Lisa Blemel to the Board of Assessment Review for a term to expire 9/30/09.

Carried Unanimously

**DWSRF Authorization:** A motion was made by Councilman Finger, seconded by Councilwoman Glor authorizing the Supervisor to sign the DWSRF Application and Agreement for the Water District #10 Project Financing.

(Resolution Attached)      Ayes-5      Nay-0      Carried Unanimously

The Supervisor announced that Contract Negotiations for the Highway have been ongoing in a fair manner and are moving along well.

**Question Period-**

Councilman Finger announced that he and the Supervisor have been working on a Restoration Grant for the Denio Building and are moving along with hopes that all new windows and a new roof will be completed this summer.

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Finger to adjourn the meeting at 8:41 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorczak,  
Town Clerk